

**STATE OF NEVADA
BOARD OF EXAMINERS
FOR LONG TERM CARE ADMINISTRATORS**

**MINUTES OF QUARTERLY MEETING
MAY 12, 2005
4600 KIETZKE LANE
ROOM B111
RENO, NV 89502**

1. THE MEETING WAS CALLED TO ORDER BY MARGARET MCCONNELL, CHAIRPERSON AT 9:45 A.M.
2. TERRY PEDROTTI, EXECUTIVE SECRETARY, CALLED THE ROLL.

BOARD MEMBERS PRESENT:

MARGARET MCCONNELL
DONNA ROSE
ARNOLD H. GREENHOUSE, M. D.
CAROL SALA (EXCUSED)

DOUGLAS R. SINCLAIR
MARY ELLEN WILKINSON
TERRY CLODT (EXCUSED)

STAFF:

CHARLOTTE M. BIBLE

TERRY PEDROTTI

GUESTS:

DEBORAH BAGNATO, BLC CARSON CITY

PATTI SWAGER, NGE

MARGARET MCCONNELL WELCOMED THE GUESTS AND SUGGESTED THAT THEY MIGHT PARTICIPATE IN THE MEETING, SINCE NO OTHER GUESTS HAD ATTENDED.

MS. MCCONNELL STATED THAT AGENDA ITEMS WOULD BE TAKEN OUT OF ORDER TO ACCOMPLISH BUSINESS IN THE MOST EFFICIENT MANNER.

3. ** DONNA ROSE GAVE THE SECRETARY/TREASURER'S REPORTS:

- A. MINUTES OF THE BOARD MEETING OF FEBRUARY 1, 2005 HAD BEEN DISTRIBUTED PREVIOUSLY TO THE BOARD MEMBERS. MS. ROSE ASKED IF THERE WERE ANY ADDITIONS, CORRECTIONS OR DELETIONS. THERE WERE NONE. MS. ROSE REQUESTED A MOTION. MARY ELLEN WILKINSON MOVED TO ACCEPT THE MINUTES AS WRITTEN. ARNOLD GREENHOUSE SECONDED THE MOTION. THERE WAS NO DISCUSSION AND THE MOTION WAS CARRIED.
- B. FINANCIAL REPORTS WERE REVIEWED:
 1. NET WORTH AS OF APRIL 30, 2005 SHOWED A GAIN OVER PREVIOUS MONTHS.
 2. FINANCIAL COMPARISON REPORT ALSO SHOWED A SLIGHT GAIN OVER THE PREVIOUS HISTORICAL "LOW INCOME" YEAR.
 3. THE UNAUDITED THIRD QUARTER REPORT PREPARED BY THE CPA ALSO SHOWED A SLIGHT GAIN OVER THE LAST TWO QUARTERS.

A QUESTION WAS RAISED ABOUT THE COSTS OF THE STUDY MATERIALS. THAT IS A "PASS THROUGH", AS THE BOARD ONLY CHARGES FOR PRINTING AND MAILING COSTS OVER AND ABOVE THE ACTUAL COSTS BY THE PROVIDERS, I.E., NAB AND AIM.

THERE WERE NO FURTHER QUESTIONS AND MS. ROSE REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ACCEPT THE FINANCIAL REPORTS AS PRESENTED. DOUGLAS SINCLAIR SECONDED THE MOTION. THE MOTION WAS CARRIED.

4.** TERRY PEDROTTI PRESENTED THE ADMINISTRATIVE REPORTS:

- A. QUARTERLY LICENSEE ACTIVITY REPORT SENT TO MR. LORNE MALKIEWICZ SHOWING AN INCREASE IN NURSING FACILITY ADMINISTRATORS AND A SLIGHT DROP IN RESIDENTIAL FACILITY ADMINISTRATORS. MS. PEDROTTI EXPLAINED THAT THE LESSENING OF RFA'S APPLICATIONS MAY BE DUE TO THE INCREASED ENFORCEMENT OF THE RULES AND REGULATIONS.
- B. RESULTS OF NOTICES TO ALL RFA'S REGARDING COMPLIANCE WITH NAC 654.190 AND NAC 654.250 ARE STEADILY INCREASING WITH MORE AND MORE LICENSEES REQUESTING LICENSE REPLACEMENTS AND SECONDARY LICENSES FOR ADDITIONAL FACILITIES. MUCH OF THIS IS DUE TO BLC'S REMINDER TO THE LICENSEES THAT THEY MUST CONTACT THE BOARD OFFICE FOR A LICENSE BEARING THE NAME OF THE FACILITY AND ITS LOCATION.

- C. APPROPRIOS OF THE ABOVE STATEMENT, A SAMPLE COPY OF THE NEW LICENSE FORMAT WAS INCLUDED FOR THE BOARD MEMBERS' REVIEW. A COPY OF THE LICENSE WAS ALSO GIVEN TO DEBBIE BAGNATO OF BLC FOR THE AGENCY'S USE IN KNOWING WHAT TO LOOK FOR WHEN VISITING A RESIDENTIAL FACILITY.

MARGARET MCCONNELL REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ADOPT THE NEW FORMAT OF THE LICENSES BEING ISSUED BY THE BOARD. MARY ELLEN WILKINSON SECONDED THE MOTION. NO DISCUSSION TOOK PLACE AND THE MOTION WAS CARRIED.

5.** ADMINISTRATOR LICENSES ISSUED – FINAL BOARD APPROVAL REQUIRED

A. NFA LICENSES:

1. HAGAR, JAMES P.
2. KENNEDY, MARILYN
3. ROACH, DAVID L.
4. ROJAS, JORGE A.
5. RUTTER, MATTHEW
6. WALKER, DAVID R.

ALL THE REQUIREMENTS HAD BEEN MET AND MARGARET MCCONNELL REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO GRANT NURSING FACILITY LICENSES TO THE ABOVE NAMED APPLICANTS. MARY ELLEN WILKINSON SECONDED THE MOTION. THE MOTION WAS CARRIED.

B. RFA LICENSES:

1. BALDRIDGE, TERI
2. BURCH, JANICE
3. CHINN, EURYDICE
4. JESPERSON, RYAN N.
5. NOLL, PATRICIA
6. SUAREZ, MIGUELA
7. WALKER, DAVID R.

ALL CONDITIONS AND REQUIREMENTS HAD BEEN MET AND MARGARET MCCONNELL REQUESTED A MOTION. DOUGLAS SINCLAIR MOVED TO GRANT RESIDENTIAL FACILITY ADMINISTRATOR LICENSES TO THE ABOVE NAMED APPLICANTS. ARNOLD GREENHOUSE SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

C. INACTIVE REQUESTS:

1. BASSIG, MICHELE R. RFA
2. BLACK, JOHN W., NFA

ALL THE REQUIREMENTS HAD BEEN MET, AND MS. MCCONNELL REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO GRANT THE TWO LICENSEES' INACTIVE STATUS, NOT TO EXCEED 2 YEARS. MARY ELLEN WILKINSON SECONDED THE MOTION. THE MOTION WAS CARRIED.

6.** UNFINISHED BUSINESS:

A. AIT TRAINING AND PRECEPTOR TRAINING

DONNA ROSE ADDRESSED THIS ISSUE. SEVERAL DRAFTS OF NEW FORMS WERE PRESENTED:

1. ADMINISTRATOR IN TRAINING APPROVAL FORM TO ALLOW THE BOARD TO TRACK WHERE AN APPLICANT IS DOING HIS TRAINING IN ORDER THAT A MEMBER OF THE BOARD CAN DO AN ON-SITE INSPECTION OF THE PROGRESS OR LACK THEREOF OF THE PROCEDURES.
2. QUARTERLY PROGRESS REPORTS TO BE COMPLETED BY THE PRECEPTOR AND ACKNOWLEDGED BY THE AIT CANDIDATE.
3. A SUMMARY REPORT TO BE COMPLETED BY THE PRECEPTOR AND ACKNOWLEDGED BY THE AIT CANDIDATE.
4. A PERFORMANCE EVALUATION TO DETERMINE IF THE AIT CANDIDATE IS MEETING THE CRITERIA REQUIRED OF A NURSING FACILITY ADMINISTRATOR.
5. A DETAILED QUARTERLY TRAINING PROGRAM THAT IS PRESENTLY BEING USED BY ANOTHER STATE WAS SHOWN. MS. ROSE STATED THAT WHILE THE PROGRAM OUTLINED IS A GOOD ONE, SHE FELT THAT IT NEEDED A GREAT DEAL OF UPDATING. MS. ROSE WILL REWRITE THE PROGRAM, UPDATING IT TO MEET THE NEWER STANDARDS THAT ARE REQUIRED IN TODAY'S SKILLED NURSING FACILITIES.

MARGARET MCCONNELL SUGGESTED THAT ONCE DONNA ROSE HAS COMPLETED THE NEW DRAFT OF THE TRAINING PROGRAM, THE BOARD MIGHT SHARE IT WITH THOSE ADMINISTRATORS WHO ARE ACTIVELY IMPLEMENTING AN AIT PROGRAM, AS WELL AS WITH SOME OF BLC'S SURVEYORS OF NURSING FACILITIES, TO MAKE CERTAIN THAT ALL ASPECTS OF THE TRAINING PROGRAM ARE INCLUDED. WITH THE INPUT RECEIVED FROM THOSE SOURCES, A DRAFT COULD BE BROUGHT BACK FOR THE BOARD'S REVIEW AT ITS NEXT BOARD MEETING.

MARY ELLEN WILKINSON RAISED THE QUESTION OF ALLOWING A PRECEPTOR TO CHANGE SOME OF THE REQUIREMENTS OF AN ESTABLISHED AIT PROGRAM. MS. ROSE EXPLAINED THAT IN MANY INSTANCES, AS AN EXAMPLE, A FORMER DIRECTOR OF NURSING MIGHT NOT REQUIRE AS MANY HOURS IN THE SKILLED NURSING AREA, AS SOMEONE WHO HAS HAD NO NURSING TRAINING.

A BRIEF DISCUSSION FOLLOWED IN WHICH IT WAS DETERMINED THAT ANY CHANGES IN THE ESTABLISHED PROGRAM SHOULD BE APPROVED BY THE BOARD.

IT WAS ALSO SUGGESTED THAT THE BOARD CHECK WITH SOME OF THE PROGRAMS PRESENTLY IN EXISTENCE TO BE CERTAIN THAT ANY NEW PROGRAM(S) PREPARED BY THE BOARD WOULD NOT CONFLICT, THUS CREATING ISSUES OF NON-COMPLIANCE.

MARGARET MCCONNELL THANKED DONNA ROSE FOR HER EXCELLENT EFFORTS AND SUGGESTED THAT MS. ROSE BRING A REPORT ON THIS SUBJECT TO THE NEXT BOARD MEETING.

B. CHARLOTTE M. BIBLE, CHIEF DEPUTY ATTORNEY GENERAL, REPORTED ON THE PROGRESS OF BRIAN SANDOVAL'S PROPOSED BDR. THE BDR IS NOW KNOWN AS SB276. IT HAS PASSED THE ASSEMBLY AND WILL NOW GO TO THE SENATE FOR RATIFICATION. THERE HAVE BEEN SOME CHANGES MADE TO THE BILL. THE INVESTIGATIVE PORTIONS OF THE BILL HAVE BEEN REMOVED AND ALL THAT REMAINS ARE THE STANDARDIZED PROCEDURES FOR HANDLING COMPLAINTS AND DISCIPLINARY MATTERS. IT ALSO PROVIDES THIS BOARD WITH THE OPTION OF EITHER HAVING A PANEL HEAR A DISCIPLINARY MATTER OR A HEARING OFFICER AND BRING THE RECOMMENDATIONS TO THE BOARD FOR A MORE RAPID CONCLUSION OF AN ISSUE. ADDITIONALLY, IF A LICENSE HAS BEEN REVOKED, THE INDIVIDUAL MUST WAIT ONE YEAR BEFORE REAPPLYING FOR REINSTATEMENT. ESSENTIALLY, THIS BILL STANDARDIZES THE PROCEDURES FOR HEARINGS AND WILL HAVE NO FORSEEABLE IMPACT ON THIS BOARD.

ALSO REMOVED FROM THE ORIGINAL BDR IS THE APPOINTMENT OF A COMMISSIONER AND "FUNDING".

MARY ELLEN WILKINSON QUESTIONED HOW ENACTMENT OF THIS BILL WOULD AFFECT THE PRESENT PROCEDURES OF THIS BOARD.

CHARLOTTE BIBLE EXPLAINED THAT ONCE A FORMAL COMPLAINT IS RECEIVED, THE BOARD STILL MAKES A DETERMINATION AS TO WHETHER IT WILL GO TO A FORMAL HEARING AFTER AN INVESTIGATION HAS BEEN CONDUCTED EITHER BY A BOARD MEMBER OR AN INVESTIGATOR HIRED BY THE BOARD. ACTUALLY, NOTHING IN OUR PROCEDURES WILL BE CHANGED SIGNIFICANTLY.

C. REGARDING THE ISSUE OF A TEMPORARY RESOLUTION, CHARLOTTE BIBLE EXPLAINED THAT THE PREMISE FOR A TEMPORARY RESOLUTION WAS TO ESTABLISH A FINE SCHEDULE. AFTER HAVING DONE SOME RESEARCH, MS. BIBLE STATED SHE HAS BEEN UNABLE TO FIND A FINE SCHEDULE FOR A FORMAT, BUT WILL CONTINUE TO RESEARCH THE SUBJECT.

MARGARET MCCONNELL SUGGESTED THAT THIS SUBJECT BE CONTINUED TO THE NEXT MEETING, AT WHICH TIME THE BOARD CAN DETERMINE WHETHER TO GO ON A CASE-BY-CASE BASIS, OR BY AN ESTABLISHED FINE SCHEDULE IN DISCIPLINARY MEASURES.

MARGARET MCCONNELL REQUESTED THAT AGENDA ITEM NO. 7. A. BE DISCUSSED AT THIS POINT AS PATTI SWAGER OF NGE, WHO WAS PRESSED FOR TIME, WOULD PARTICIPATE IN THE DISCUSSION.

MS. MCCONNELL EXPLAINED THE BOARD'S CONCERN ABOUT ADDING MORE EDUCATIONAL REQUIREMENTS TO THE APPLICANTS FOR RESIDENTIAL FACILITY ADMINISTRATORS TO MORE ADEQUATELY PREPARE THEM FOR THE RESPONSIBILITIES INVOLVED. MS. MCCONNELL ASKED PATTI SWAGER OF THE NEVADA GERIATRIC EDUCATION CENTER TO HELP IN THIS ENDEAVOR.

MS. SWAGER SUGGESTED THAT SHE WOULD LIKE TO HAVE A PLANNING COMMITTEE TO ASSIST HER. SHE STATED THAT SHE NEEDS TO LEARN MORE ABOUT THE EXTENT AND SCOPE OF ADDITIONAL EDUCATION, MENTORS FOR LIVE TRAINING, VOLUNTEERS VERSUS PAID INSTRUCTORS, ETC.

MARGARET MCCONNELL STATED THAT THERE IS A STATEWIDE ORGANIZATION OF RC/AL ADMINISTRATORS, C.A.R.E., THAT COULD BE OF GREAT HELP, AS WELL AS SURVEYORS OF ASSISTED LIVING FACILITIES FROM THE BLC. MS. MCCONNELL STATED THAT THE ASSISTED LIVING ADVISORY COUNCIL, ALAC, THAT MEETS EVERY TWO MONTHS WOULD BE A VERY HELPFUL AVENUE, AS WELL AS ADMINISTRATORS WHO COULD SUPPLY MUCH INPUT. MS. MCCONNELL INVITED MS. SWAGER TO MEET WITH THE ALAC GROUP AT ITS NEXT MEETING ON JUNE 21, AT 10:00 A.M. AT THE BLC OFFICES IN CARSON CITY, WHERE SHE COULD PRESENT SOME OF HER THOUGHTS AND GAIN SUPPORT.

PATTI SWAGER TALKED ABOUT THE VIDEO TAPES THAT WERE PRODUCED SOME TIME AGO. SOME OF THE MATERIAL MIGHT BE OUTDATED AT THIS TIME, AND MS. SWAGER WONDERED IF THEY SHOULD CONTINUE TO OFFER THEM. MARGARET MCCONNELL ASKED THAT 2 COPIES BE SENT TO THE BOARD OFFICE, AND SHE WILL REVIEW THEM AND THE SUPPORTING MATERIALS AND DETERMINE WHETHER THE VIDEO TAPES SHOULD BE CONTINUED. MS. MCCONNELL ASKED DOUGLAS SINCLAIR TO PARTICIPATE IN THIS EFFORT.

6.** D. FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER – PETERSON C. DURIAS, RFA NO. 6083, PAMELA A. SMITH, RFA NO. 5620:

CHARLOTTE BIBLE EXPLAINED THAT THE DOCUMENTS REPRESENTED THE DISCIPLINARY DECISIONS, FINES AND RESTITUTION OF PROCEEDINGS AND LEGAL COSTS MADE AT THE HEARINGS HELD ON FEBRUARY 1, 2005. MS. BIBLE ASKED TERRY PEDROTTI TO REPORT THE TWO LICENSEES TO THE HEALTH INTEGRITY AND PROTECTION DATA BANK.

TERRY PEDROTTI REPORTED THAT PETERSON C. DURIAS HAS BEEN PAYING HIS COSTS DOWN TO LESS THAN \$200.00, BUT THAT PAMELA A. SMITH HAS NOT PAID ANYTHING TO DATE. AS A RESULT AN INVOICE AND REMINDER LETTER WAS SENT TO MS. SMITH, STATING THAT THE MONIES WERE DUE ON JUNE 17, 2005.

MARGARET MCCONNELL RAISED THE ISSUE OF SOME FACILITIES THAT HAVE A LICENSED ADMINISTRATOR WHO IS NOT ON PREMISES, BUT DO HAVE OTHER INDIVIDUALS WHO ARE BELIEVED TO BE THE ADMINISTRATORS. THE BUREAU OF LICENSURE AND CERTIFICATION STATES THAT AS LONG AS THERE ARE NO ISSUES AT THE FACILITIES, AND A RESPONSIBLE PERSON IS SUPERVISING, THEY WILL NOT TAKE ISSUE WITH THAT PRACTICE.

ANOTHER ISSUE IS THAT THERE IS AN ADMINISTRATOR OF A NURSING FACILITY, WHO ALSO HAS A RESIDENTIAL FACILITY ADMINISTRATOR, WHO IS SUPERVISING BOTH FACILITIES WITH IN EXCESS OF 200 BEDS. A DISCUSSION FOLLOWED IN WHICH DONNA ROSE POINTED OUT THAT BEING LICENSED FOR THE TWO FACILITIES ALLOWS THE ADMINISTRATOR TO SUPERVISE BOTH FACILITIES. DOUGLAS SINCLAIR POINTED OUT THAT IS NOT THE INTENT OF THE RULING THAT STATES AN ADMINISTRATOR CANNOT ADMINISTER MORE THAN 150 BEDS.

THE QUESTION BEFORE THE BOARD IS WHETHER THIS PRACTICE SHOULD BE ALLOWED OR SHOULD SOME DISTINCTION BE MADE IN THE RULES AND REGULATIONS REGARDING THIS ISSUE. MARGARET MCCONNELL ASKED CHARLOTTE BIBLE IF THIS ISSUE COULD BE MADE AN AGENDA ITEM FOR FUTURE DISCUSSION AND POSSIBLE ACTION, WHERE IT MIGHT BE APPROPRIATE TO CHANGE THE RULES AND REGULATIONS. MS. BIBLE AGREED.

DEBORAH BAGNATO INFORMED THE BOARD THAT WILDA SCHONES, RFA ADMINISTRATOR, HAS BEEN INDICTED BY THE GRAND JURY AND IS NOW INCARCERATED AND THE BUREAU HAS REVOKED HER LICENSE. CHARLOTTE BIBLE SUGGESTED THAT THIS BOARD MIGHT BE ABLE TO GO FORWARD ON THIS MATTER BASED ON THE BUREAU'S DISCIPLINARY ACTIONS. MS. MCCONNELL SUGGESTED THAT MS. BAGNATO SEND THE BOARD ITS INFORMATION THAT WILL THEN BE FORWARDED TO CHARLOTTE BIBLE FOR FUTURE ACTION.

8.** CHARLOTTE BIBLE STATED THAT THE ATTORNEY GENERAL'S OFFICE NOW HAS VIDEO CONFERENCING AND GRACIOUSLY OFFERED ITS USE TO THE BOARD, IF IT SHOULD BE NEEDED AT ANY TIME.

9. NO CORRESPONDENCE OF CONSEQUENCE WAS RECEIVED.

10. THERE WERE NO PUBLIC COMMENTS

11.** THE BOARD MEMBERS WERE ASKED TO CONSULT THEIR CALENDARS FOR THE NEXT BOARD MEETING TO BE HELD IN RENO IN AUGUST. THE FINAL DATE WAS SET FOR AUGUST 25, 2005 AT 9:30 A.M. IN RENO, AT THE SAME LOCATION ROOM B111, 4600 KITZKE LANE.

12.** THERE WAS NO FURTHER BUSINESS. MARGARET MCCONNELL REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ADJOURN. MARY ELLEN WILKINSON SECONDED THE MOTION. THE MOTION WAS CARRIED, AND THE MEETING WAS ADJOURNED AT 11:30 A.M.

RESPECTFULLY SUBMITTED,

TERRY PEDROTTI, EXECUTIVE SECRETARY

ATTESTED:

DONNA J. ROSE, SECRETARY/TREASURER

